

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MOTION FOR PROTECTIVE ORDER GOVERNING JENCKS AND GIGLIO MATERIALS
AND FOR DISCOVERY UNDER FED. R. CRIM. P. 26.2

The United States of America, by and through its attorneys, Dana J. Boente, United States Attorney, Stephen M. Campbell, Julia K. Martinez, and Tobias D. Tobler, Assistant United States Attorneys, hereby moves this Court to enter an Order restricting the dissemination and reproduction of Jencks Act and Giglio materials and requiring the defendants to provide reciprocal discovery pursuant to Federal Rule of Criminal Procedure 26.2.

On September 18, 2015, this Court ordered that the government produce to each defendant all Jencks Act and Giglio materials by March 3, 2016. Doc. No. 489. The standard agreed discovery order entered in the majority of cases in this district contains provisions restricting the dissemination and reproduction of Jencks Act and Giglio materials. Because the defendants declined to enter into the standard agreement, no such protections are currently in place. The government now respectfully asks the Court to enter an order putting in place the same protections as contained in the standard agreed discovery order. The government submits

that these protections are even more necessary and appropriate in this case, which involves defendants who are members and associates of MS-13, a violent street gang known to intimidate and kill suspected cooperators and witnesses.

The government further moves this Court to require the defendants to produce reciprocal discovery to the government under Federal Rule of Criminal Procedure 26.2, namely the statements of any witness, other than the defendants, who will testify on behalf of any defendant. Consistent with the provisions of the standard agreed discovery order, the government submits that the deadline for the production of these materials should be the same as the government's deadline for the production of Jencks Act and Giglio materials.

A proposed Order is attached to this motion.

Respectfully submitted,

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/S/

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CERTIFICATE OF SERVICE

I hereby certify that on the 11th of February, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which automatically generated a Notice of Electronic Filing to counsel of record.

/s/

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